

Silver, 80¢.
Lead, \$1.35.
Copper, 16¢.

TWENTY-NINTH YEAR.

SALT LAKE CITY, UTAH: TUESDAY, JULY 25, 1899

NUMBER 52

SAW BENBROOK SHOOT MORRIS

Eye-witness of Tragedy Located By Herald.

ROBERT O. DOOLAN
SAW LAST SHOT FIRED

Declares Benbrook Fired After Morris Had Fallen.

His Statement is Substantially the Same as Published in Saturday's Herald—Saw Two Women Screaming in Hallway—Senator Brown Employed to Assist the Prosecution—County Will Foot the Bill—Hearing Resumed Today.

A most important witness to the killing of Burton C. Morris by Benbrook has been discovered. This is the unknown witness, whose story The Herald substantially gave on Saturday morning.

Robert O. Doolan said yesterday that he saw Benbrook fire a shot into the prostrate body of Morris and then beat him upon the head with his pistol. He said also that Albert C. Morris, the dead man's cousin, was in the room at the time the shooting occurred.

According to Doolan's statement, Benbrook fired a bullet into the body of Morris while the young man lay on the floor. He says he saw the shot fired, and is willing to swear to it. Doolan is the mysterious eye-witness, who was referred to in The Herald last Saturday. He is the son of J. P. Doolan and is a student in the preparatory school for the University of Colorado at Boulder. The young man is now at home on vacation.

Doolan has been keeping quiet so far, but he says that he would not be called to testify. When seen at his home, he gave no information and declined to talk about the case, and this is his story.

Doolan's Statement.

"I went into the Western Union telegraph office at 7:30 o'clock on the night of the killing," he said. "I am able to fix the time because I walked up to the counter. I intended to send a telegram to Denver, and asked the clerk for the day and night rates for that place."

"He gave me the information and I walked out. As I reached the door I heard two shots fired upstairs over the Merchants' cafe. I ran up the steps behind the main entrance and found that Morris was lying on the floor, and that Albert Morris and a messenger boy, I passed the boy before reaching the top of the steps and turned into the room where the shooting occurred. Albert Morris was there ahead of me, but I don't know what he was doing."

"Burton Morris was lying on the floor on his left side, gasping. As I came up Benbrook raised his gun and fired a shot into Morris' body. Then he jumped astride of him and began beating him with the pistol about the face. At this Albert Morris, who had come in, and so I saw him, who had come in, Benbrook said: 'It isn't my gun; I don't know whose gun it is.' Albert Morris replied: 'You are a liar, it is your gun. I saw it away from the door.'"

"A number of people had come up by this time. I saw them turn Burton Morris over on his back to give him air, but in a few minutes he died. Benbrook went out into the hall and was arrested. I then by Detective Sheets, who took him out the back way and over to the police station."

Two Screaming Women.

"I forgot to say that as I ran up the steps I saw two women almost in front of the door, or perhaps a little to the north. They were screaming with fright and somebody, I don't know who, said: 'Don't get excited.' Then the women disappeared and I never saw them again. What became of them. After staying around up there about fifteen minutes I came down stairs and caught a Third Street car for home."

When asked if he was positive he saw Benbrook fire into Morris' body, Doolan replied that he could not be mistaken about it. He says he clearly saw what such a great relief. But he has not said that the shot was fired as stated.

SENATOR BROWN EMPLOYED.

Retained By County to Assist in Prosecution.

The case of the state against John H. Benbrook will be in good hands. Ex-Senator Brown, whose reputation as a criminal lawyer is known far and wide, was entered in the case yesterday.

County Attorney Putnam consented yesterday morning to the employment of ex-senator Brown, though he did so with great reluctance. But he has understood that the county commission-ers very strongly favored additional counsel in the case, and he considered it wise to acquiesce in their wishes.

There was a long conference yesterday morning between the county attorney, his assistant, Ray Van Cott, and the relatives of Burton C. Morris. They insisted with energy that there should be a stronger array of legal talent on the side of the state. They had enlisted the influence of the county commission-ers and they discussed the matter. Senator Brown, Judge W. H. Dickinson, Judge Andrew Howatt and C. S. Varian. By mutual agreement the ex-senator was chosen and the relatives expressed themselves as being very well satisfied. They believe now that if Benbrook is guilty of any fact to prove it will be brought out with its full importance. Whether or not Judge H. P. Henderson, ex-Senator Brown's law partner, will take part in the case is not yet decided. That is a matter which rests between them.

When the examination opens this morning the ex-senator will be present with County Attorney Putnam and Assistant Van Cott.

Employed By the County.

But the additional counsel is not employed by the relatives of Morris. The county will pay the expenses. Mr. Brown would likely not have come into the case as the representative of the Morris family. He considers that such a proceeding would lend a tone of vindictiveness to the trial which is out of place.

This will likely be the most important day in the trial of the case, unless the defense shall prolong the case with detailed cross-examina-

tions of witnesses of its own. Leda Stromberg and Albert Morris, who, outside of the defendant, Steve Keene and the eye-witnesses mentioned in The Herald several days ago, are the most important witnesses who will testify. Miss Stromberg's testimony promises to be very interesting and more complete than at the inquest. Judge Powers' cross-examination of her for the defense will undoubtedly be a remarkable display of legal brilliance and finesse. The girl has a brilliant mind, and it will require more than ordinary legal talent to confuse her. The cross-examination of Albert C. Morris will also likely be a display of legal pyrotechnics worth listening to.

Plans of the Defense.

Unless the attorneys for the defense change their minds, they will offer no testimony, and will not place Defendant Benbrook on the witness stand. Their purpose is to force out all the evidence of the prosecution, and to hide their own. Their cross-examination is not done with the hope of breaking down witnesses and having the defendant discharged. They simply admit that they know that Benbrook will be held, though it possibly may be for a lesser crime than murder in the first degree. It is even yet doubtful if they will argue the case before Justice Gardner.

The discovery of the new witness, Robert O. Doolan, may, however, have an effect upon the line of defense. It is likely that the defense effort will be made to break his testimony down.

GOVERNOR WOULD HAVE ACTED

Ready to Direct Attorney General to Appear in Case.

It developed yesterday that if County Attorney Putnam had not consented to the employment of special counsel, Attorney General Bishop would have entered the case, under the direction of Governor Wells. The governor authorized the attorney general to direct the attorney general to assist the county attorney in any prosecution in which the interests of the state demand such assistance. Governor Wells had decided that this was a case of that character and held a conference with Attorney General Bishop Sunday. But he never acted. The attorney general concluded that action upon their part would be unnecessary.

Benbrook's day was quiet at the county jail, his wife and brother being the only visitors. Several telegrams have been received by the accused man: one from a gambler named Page of Birmingham, who offers him financial assistance if needed. The others are from Texas and Arizona, and contain words of cheer from friends in those states.

Aid For Benbrook.

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He Had Little Misunderstanding

With the Volksraad Which Was Afterward Settled.

Paris, July 25.—Dispatches received here from Pretoria, South African republic, say the absence of President Kruger from the meeting of the executive council today gave currency to a report that he had resigned, owing to differences between him and members of the council. The report was denied by the Volksraad, which President Kruger, when seen tonight in regard to the matter, denied these rumors, stating positively that they were without foundation.

Pretoria, July 25.—President Kruger had been absent from the government building since Friday afternoon, and it was understood that, owing to the opposition shown by the Volksraad regarding the questions of the Johannesburg fort and the dynamite monopoly, he had arrived at the conclusion that he no longer possessed the Volksraad's confidence, and threatened to resign. The Volksraad, however, including General Joubert, the vice president, Heren Schalk and Burger, and the chairman of the Volksraad, assured President Kruger and induced him to attend a secret session of the Volksraad, which was held last night.

Meanwhile, an anxious crowd had assembled outside the building, waiting for the Volksraad to issue a statement. The president that they had the utmost confidence in him. It is understood, however, that a majority of members of the Volksraad still differ with the president on the dynamite monopoly question.

DOWN THE SHAFT 1,000 FEET

FRIGHTFUL DEATH OF A MINER AT BUTTE.

Indicator of Hoisting Apparatus Was Disarranged and Eight Men Narrowly Escaped.

Butte, Mont., July 24.—By the disarrangement of the indicator on the hoisting apparatus of the West Colusa mine this afternoon, one man was killed and eight others narrowly escaped.

The dead man is William Thomas, shifthouse. He started from the bottom of the shaft for the surface and at various levels other men got on the cage until there were nine men in the cage. The indicator, which should have shown the cage's position, had slipped back forty feet and the engineer, not being able to see the cage, continued to hoist until it was to the gallows frame.

Thomas, evidently fearing the compact would be broken, jumped when the cage was near the shaft. Instead of landing on the floor of the shaft house he landed on the shaft opening and fell directly into the bottom of the shaft, 1,000 feet. The body was not recovered. The cable did not part and the engine was stopped in time to save the lives of the eight other men.

Copper Mine Sold.

Presno, Cal., July 24.—John H. Hand has sold the Heskell copper mine, which is situated three miles from Fresno, to Henry B. Vergo, for \$25,000. Mr. Vergo represents an English syndicate, who also own the Copper King mine and other copper properties in Fresno county. It is reported that large amounts of money have been advanced by the Heskell mine developed on a large scale.

Explosion in a Mine.

Brownsville, Pa., July 24.—An explosion of gas and fire damp occurred today in the mine of the Redstone Coal Oil & Gas company at Grindstone, five miles from here, in which seventy men were employed. A mine known as the Grindstone. The others escaped.

Russia Is Excited.

Shanghai, July 24.—The reports regarding a Japanese-Chinese alliance, which has been persistently denied for some time, have now assumed definite form and are now causing great excitement in Russian circles.

The Dewey Home Fund.

Washington, July 24.—United States Treasurer Roberts, as treasurer of the Dewey home fund, today received through the San Francisco Examiner contributions amounting to \$12,123, making the total to date \$16,513.

LYOYD TEVIS IS DEAD

San Francisco Millionaire Passed Away Last Night.

END WAS UNEXPECTED

RESULT OF COMPLICATION FOLLOWING A SEVERE COLD.

Owner of Wells, Fargo & Co's and Founder of Pacific Express—Went to Pacific Coast in 1849 and Has Been Identified With Growth of Western Empire.

San Francisco, July 24.—Lloyd Tevis, the well known capitalist, died tonight at his residence in this city. The end was entirely unexpected, although he had been confined to his room with a severe cold for about a fortnight. He had not been robust for some time, and owing to advancing years he was unable to withstand the complications which followed his original indisposition.

Mr. Tevis was born in Kentucky seventy-five years ago, but had been a resident of this state for fifty years. He came to the Pacific coast in 1849, and had been in possession of the land which he now owned in the San Joaquin valley, and only one farm, that of Miller & Lux, had more cattle and sheep.

Partnership With Haggin.

In 1850 he formed a partnership with James B. Haggin, which has ever since continued. This firm entered upon a career of almost unexampled prosperity, buying and selling lots on a small scale at first and gradually increasing their operations until Haggin and Tevis owned immense tracts of land in the central and southern portions of the state, including some of the richest lands in the San Joaquin valley, and only one farm, that of Miller & Lux, had more cattle and sheep.

Mr. Tevis founded the Pacific Express company, and afterward became principally identified with the organization and development of Wells, Fargo & Co. for many years he was president and managing director of that corporation, only retiring a few years ago on account of his health and age, and still being the presumptive owner of much of the express company's stock.

Mr. Tevis was one of the wealthiest and best known residents of San Francisco, and has been identified with the growth and development of the state from the days of the territorial pioneer. He was entirely a self-made man, and his wealth, originally estimated at \$10,000,000 to \$20,000,000, was largely invested in a number of well known corporations. He leaves a widow, two daughters and three sons.

WELL KNOWN IN UTAH.

Lloyd Tevis' Death Fills Many Hearts With Sorrow.

The news of Lloyd Tevis' death will cause profound sorrow in Utah, as he has been identified with some of the state's greatest enterprises, and his friends in this community were numbered by the score. He was president of the great Ontario company and a heavy owner in the Daly and Daly-West, as well as in many other Utah properties. He was also one of the owners of the Homestake and Highland mines at Deadwood, and the Anaconda at Butte, having sold his interests in the latter property a few weeks ago. He was a partner of J. B. Haggin and George Hearst in all of the mining ventures financed and promoted by them, and this trio of daring spirits did more to develop the mining resources of the west than any other men of their time.

Tevis and Mr. Haggin acquired extensive land interests in Kern county, Cal., and spent several millions of dollars in building canals and reclaiming arid lands. They gave employment to several hundred men in this work and "made the desert blossom as the rose."

Mr. Tevis was a Democrat in politics, and exerted great political influence in San Francisco. No matter what party was in power.

The news of Mr. Tevis' death was a great shock to Senator Chambers, who has been his close friend and associate for twenty-eight years. Senator Chambers pays a high tribute to the character of his deceased friend. When he left Mr. Tevis on the fifth of the present month he was well and hearty, and the senator had not heard of his illness.

MAY GET A HALF-FARE RATE

RAILROADS ASKED TO MAKE REDUCTION TO SOLDIERS.

Quartermaster General's Office Has Taken the Matter in Hand and Hopes to Succeed.

(Special to The Herald.)

Washington, D. C., July 24.—It is probable that the discharged members of the Utah batteries will be able to get a half-fare rate from San Francisco home. The quartermaster general's office has asked all the transcontinental roads to grant this fare. The Union Pacific has already replied that it would grant the rate, but the others have not yet answered.

Colonel Bird of the quartermaster general's office said today: "We are working hard on the matter, and we are pretty sure that we shall be able to get a liberal reduction from all the roads."

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HEFEES SUE FOR LOSS OF A PIONEER

Dewey Says He Has No Need of Carlsbad Treatment.

HE IS IN GOOD HEALTH

HIS ONLY CONCERN IS FOR HIS GALLANT CREW.

He Will Remain at Trieste a Week Longer and Then Proceed to Naples—Expects to Reach New York About October 1—Will Not Talk Politics.

Trieste, July 24.—A correspondent of the Associated Press today visited Admiral Dewey on board his flagship Olympia and was cordially received, being requested to convey the admiral's thanks to the Associated Press.

Admiral Dewey said that although he had received many invitations from Americans to visit them, he had never intended going there. "Look at me," said the admiral. "Do I look like a sick man? Do I look as if I required Carlsbad treatment? I am quite healthy, and though I will be 62 next December, I feel quite young in health and spirits, and from my humor you will notice that what I tell you is quite correct."

"I came to Trieste solely to recruit the health of my crew, they having passed seventeen months in the tropics without a break. My reception by the Austrian officials was most friendly and they were in possession of all reports of the admiral's declining me a reception are unfounded."

"I expect to remain in Trieste about a week longer and shall then proceed to Naples. Further details and plans have not been decided upon, but the cruiser will remain during the whole of August at Mediterranean ports. The last port toward the Adriatic will be Genoa, where we will only take on coal and stores. We are expected in New York by Oct. 1."

"I have received invitations from citizens of New York and Washington, and am already in possession of a photograph of the sword of honor voted to me by the American congress."

Admiral Dewey absolutely refused to talk upon political subjects, and when asked what he thought regarding England, replied: "I have not thought anything yet."

The admiral this afternoon made another carriage excursion to the chateau of Miramar.

INVITATION IS ACCEPTED.

Dewey Sends a Cablegram to the Mayor of New York.

New York, July 24.—Mayor Van Wyck today received the following cablegram from Admiral Dewey: "Trieste, July 24.—Mayor Van Wyck, New York: Letters received and invitation accepted. Expect to arrive about Oct. 1. Will cable definitely from Gibraltar. Have written."

"DEWEY."

Admiral Dewey's cablegram is in response to an invitation from the mayor asking him to be the guest of the city upon his arrival in New York, and requesting him to express any desires he may have in connection with the programme for his reception.

The committee on land parks and decorations for the Dewey reception met today and decided to invite the governor of the state to the reception, or the whole of the national guard to take part in the land parade.

FUNERAL OF INGERSOLL TODAY

BODY WILL BE CREMATED AT FRESH POND, L. I.

Dr. John Clark Ridpath and Major O. J. Smith Will Deliver Addresses—Grief of the Family.

New York, July 24.—Simple funeral exercises over the body of the late Robert G. Ingersoll will be held at Waiston, the Ingersoll summer home, at Dobbs Ferry, at 4 o'clock tomorrow afternoon. Dr. John Clark Ridpath, who was for many years a close personal friend of Colonel Ingersoll, will read the eulogy delivered by Colonel Ingersoll upon his brother Eben. Dr. Ridpath will also read "My Creed," the last poem written by Colonel Ingersoll, and will afterward make a brief address. Major O. J. Smith, of Dobbs Ferry, a warm friend of the great orator and statesman, will read other selections from Ingersoll's writings.

Early Wednesday morning the family will accompany the remains to Fresh Pond, where they will be cremated. They will bring the ashes back to Dobbs Ferry and they will be deposited in an urn which was designed by the artist of the death mask made by John Gray Bernard, the New York sculptor. The only music that will be heard tomorrow afternoon will be from the strains of the Ingersoll family.

The mail today brought over 300 letters of condolence and telegrams continue to come in from all parts of the country. Among those received today were one from Julia Marlowe, the actress, now in London; one from the Rev. R. H. Pullman, who was a personal friend of Colonel Ingersoll; many theatrical people sent letters of condolence, among them being H. C. Barnaby, Augustus Thomas, Nate Salsburg, and others. The family received a wreath was received from the Bohemian free thinkers and many beautiful flowers from friends and acquaintances.

This funeral will be private and it is said that only those who are personal friends of long standing will attend and representatives of societies that believed in the life of the deceased. Mr. Ingersoll is so ill that she is confined to her bed. Members of the family said that the illness is due to the prostration of grief and the ceaseless vigil that she has kept at the bed of her dead husband since his death Friday. It is not thought that the illness will result seriously.

Colonel Ingersoll's daughters, Miss Maud and Mrs. Walston H. Brown, are both on the verge of prostration. The grief-stricken mother and daughters who share the belief of the dead agnostic, have begged only to be allowed to keep the body with them as long as possible. They have repeatedly refused to discuss the final disposition of the remains, and to comply with the wishes of the family. This afternoon that services would be held tomorrow their only remarks were: "So long as I can we have with us a little longer."

TO BREAK THE COMBINATION.

Western Roads Demand High Rate For Transporting Troops.

Chicago, July 24.—The quartermaster general of the United States army does not feel inclined to pay the high rates demanded by the western roads for the transportation of troops to the Pacific coast. He has been taking steps calculated to break up the railroad combination. He first sent troops to San Francisco over one distinct route, ignoring all other roads. That plan failed to break up the agreement.

The quartermaster general now has gone out on a different tack. He has learned that ships can be obtained at Seattle in which to transport the troops and that the roads leading to that city west of St. Paul are not in the agreement. The original understanding was that all troops should be sent by way of San Francisco and the sailing route by way of Seattle is with the evident object of getting the north Pacific coast lines to come to the aid of the quartermaster general.

Friends of the Two Men Unable to Comprehend the Dreadful Affair—Men Were Neighbors and Always Supposed to Be Very Friendly—Sketch of Seegmiller.

(Special to The Herald.)

Richfield, July 24.—A decided sensation was created here this morning upon the receipt of a telegram from E. D. Woolley, from Kanab, announcing the fatal shooting of Daniel Seegmiller by William Rounly and the suicide of the murderer.

The telegram was sent to W. H. Seegmiller, who is at Fish Lake attending the young men and young ladies joint conference. His son, Julien, was immediately dispatched to convey the intelligence. Daniel Seegmiller was well known here.

IS OPPOSED TO THE SLAUGHTER

The Feeling in the South Is Against the War.

DOUBLE LYNCHING EXPECTED

TWO MORE NEGROES IN THE HANDS OF A MOB.

The Tragedy of Sunday in Georgia Will Be Repeated Unless Something Unforeseen Occurs.

Birmingham, Ala., July 24.—There will be a double lynching in West Alabama early tomorrow morning unless something unforeseen occurs. Two more members of the band of negroes implicated in Sammin's confession are in the hands of a determined posse of whites. One of the captives is Charles Mack, the companion in crime of Louis Sammin, who was lynched yesterday.

The other is a negro named Oglethorpe, who was captured by a posse of whites. He was taken to a place called Safford, one holding a pistol at the head of the husband to prevent his interference.

Mack was captured at Iron City by a white man named Cardell. He tried to get his prisoner to jail and secreted him. A mob of several hundred country people most Cardell and asked that something unforeseen occurs. Two more members of the band of negroes implicated in Sammin's confession are in the hands of a determined posse of whites. One of the captives is Charles Mack, the companion in crime of Louis Sammin, who was lynched yesterday.

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